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8 UNITED STATES DISTRICT COURT

9 DISTRICT OF NEVADA

10 ACE AMERICAN INS. CO., ) Case No.: 23-cv-01261-RFB-DJA  
11 Plaintiff, )  
12 v. ) APPLICATION TO EXTEND DEADLINE  
13 KATHERIN VALDES-GARCIA, et al., ) TO SERVE DEFENDANTS  
14 Defendants. ) FIRST REQUEST  
15 )

16 TO THE COURT, ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

17 Plaintiff ACE American Ins. Co. ("Plaintiff"), by and through counsel and pursuant to  
18 FRCP 4(m), hereby applies for an extension of approximately forty five (45) days to effectuate  
19 service on certain defendants. As discussed below, good cause exists to grant the extension.

20 This suit, an insurance coverage dispute arising from an accident involving a Hertz-owned  
21 rental car, seeks a determination regarding coverage given indications that the accident was staged  
22 and a product of fraud. Named in the suit are the following parties:

- 23 • Valdes-Garcia Hertz renter and Operator of Vehicle 1  
24 • Julio Fernandez-Gonzalez Operator of Vehicle No. 2  
25 • Jorge Hernandez Passenger in Vehicle 2

26 Service has been effectuated on Defendant Valdes-Garcia. A proof of service will be filed  
27 with this Court when received.

28 Difficulties have been encountered in locating Defendant Fernandez-Gonzalez and

1 Defendant Hernandez such that neither individual has been located. As a result, Plaintiff has  
2 retained an investigator to try and locate each individual via skip trace or an alternate method.

3 Per FRCP 4(m), plaintiffs are generally afforded ninety (90) days to effectuate service,  
4 subject to good cause for an extension. As this suit was filed on August 14, 2023, Plaintiff has  
5 been unable to timely serve either Fernandez-Gonzalez or Hernandez within the ninety (90) day  
6 timeframe despite best efforts.

7 Good cause exists to extend the deadline as Plaintiff has retained an investigator to actively  
8 seek to locate each individual. Within this additional timeframe, either service will have been  
9 effectuated on each of the remaining Defendants or Plaintiff will be in a position to request  
10 authority to serve each by publication.

11 Accordingly, for the reasons set forth herein, it is respectfully requested that the deadline to  
12 effectuate service be extended for approximately 45 days such that the deadline to complete  
13 service is extended to January 5, 2024.

14 Dated: November 20, 2023

MORALES FIERRO & REEVES

16  
17 By: /s/ William C. Reeves  
18 William C. Reeves  
MORALES FIERRO & REEVES  
Attorneys for Plaintiff

20 Supporting Memorandum

21 I, William Reeves, declare as follows:

22 1. I am an attorney with Morales Fierro & Reeves, counsel for Plaintiff in this matter.  
23 2. I prepared the instant Application. The information contained herein is true and  
24 correct based on my own personal knowledge.

25 3. As noted herein, I have retained an investigator to actively seek to locate each  
26 individual. Within additional time, either service will have been effectuated on the remaining two  
27 defendants not yet served or I will be in a position to request authority from this Court to serve  
28 each by publication.

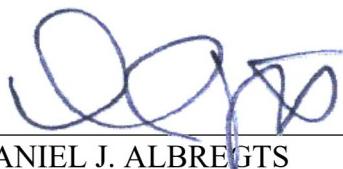
1 I declare that the foregoing is true and correct based on my own personal knowledge.  
2 Executed in Walnut Creek, California on the date specified below.  
3 Dated: November 20, 2023

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William C. Reeves

8 **IT IS SO ORDERED.** Plaintiff shall have until January 5, 2024 within which  
9 to serve Defendant Fernandez-Gonzalez and Defendant Hernandez.

10 DATED: 11/22/2023

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12 DANIEL J. ALBREGTS  
13 UNITED STATES MAGISTRATE JUDGE  
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